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ORIGINAL

BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION
OF ARIZONA PUBLIC SERVICE
COMPANY, IN CONFORMANCE WITH
THE REQUIREMENT OF ARIZONA
REVISED STATUTES §§ 40-360, *et seq.*,
FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING THE TS-5 TO TS-9
500/230kV TRANSMISSION LINE
PROJECT, WHICH ORIGINATES AT THE
FUTURE TS-5 SUBSTATION, LOCATED
IN THE WEST HALF OF SECTION 29,
TOWNSHIP 4 NORTH, RANGE 4 WEST
AND TERMINATES AT THE FUTURE TS-
9 SUBSTATION, LOCATED IN SECTION
33, TOWNSHIP 6 NORTH, RANGE 1
EAST, IN MARICIPA COUNTY, ARIZONA

Docket No. L-00000D-08-0330-
00138

Case No. 138

**LP 107, LLC'S NOTICE OF
WITHDRAWAL FROM
FURTHER PROCEEDINGS**

-AND-

**NOTICE OF CONTINUING
OBJECTION TO
ALTERNATIVE ROUTE 3**

LP 107, LLC, through counsel undersigned, hereby notifies the Committee that it
is withdrawing from further participation as an intervening party in this matter. But LP
107 reiterates for the Committee its continuing objection to the siting of the proposed
transmission line along Alternative Route 3.

LP 107 owns and is developing the Saguaro Bay East and Saguaro Bay West
residential developments on the north side of State Route 74, west of Castle Hot Springs
Road near Lake Pleasant Regional Park.¹ Saguaro Bay East is a 107 acre development

¹ See map attached hereto as exhibit 1.

LO 107 P 21 101 007

Arizona Corporation Commission

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1 that will be divided into 53 customer lots. Saguaro Bay West is a 320 acre development
2 that will be divided into 163 customer lots. The developments are currently in the
3 preliminary planning process.
4

5 LP 107's developments would be negatively impacted by the siting of the
6 proposed transmission line along Alternative Route 3. LP 107 purchased its property
7 based on the scenic nature of the area. Indeed, the area along State Route 74 contains
8 many scenic vistas, hills, and canyons, and the area is home to a wide array of wildlife
9 and vegetation. Placement of the proposed transmission line along State Route 74 would
10 significantly impact the area's aesthetics and scenic surroundings.
11
12

13 Although LP 107 opposes any siting of the line along State Route 74 for the
14 reasons stated above, if the Committee is inclined to site the transmission line north of
15 State Route 74, LP 107 would prefer that the Committee adopt the Alternative 3-North
16 Corridor Route proposed by the City of Peoria, which is identified in Peoria's exhibit P-1.
17

18 RESPECTFULLY SUBMITTED this 12th day of November, 2008.
19

20 HOLM WRIGHT HYDE & HAYS PLC

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1 ORIGINAL and 25 copies of the foregoing filed
2 this 12th day of November, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
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7 Copy of the above delivered
8 this 12th day of November, 2008, to:

9 Charles Hains
10 Janice Alward, Chief Counsel
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14 Counsel for Legal Division Staff

15 Copy of the above e-mailed/mailed this
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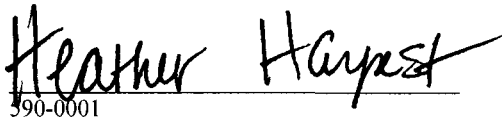
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Exhibit 1

